

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,  
Reorganized Debtor.

MARC S. KIRSCHNER, AS LITIGATION TRUSTEE  
OF THE LITIGATION SUB-TRUST,

Plaintiff,

v.

JAMES D. DONDERO; MARK A. OKADA; SCOTT ELLINGTON; ISAAC LEVENTON; GRANT JAMES SCOTT III; STRAND ADVISORS, INC.; NEXPOINT ADVISORS, L.P.; HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.; DUGABOY INVESTMENT TRUST AND NANCY DONDERO, AS TRUSTEE OF DUGABOY INVESTMENT TRUST; GET GOOD TRUST AND GRANT JAMES SCOTT III, AS TRUSTEE OF GET GOOD TRUST; HUNTER MOUNTAIN INVESTMENT TRUST; MARK & PAMELA OKADA FAMILY TRUST - EXEMPT TRUST #1 AND LAWRENCE TONOMURA AS TRUSTEE OF MARK & PAMELA OKADA FAMILY TRUST - EXEMPT TRUST #1; MARK & PAMELA OKADA FAMILY TRUST - EXEMPT TRUST #2 AND LAWRENCE TONOMURA IN HIS CAPACITY AS TRUSTEE OF MARK & PAMELA OKADA FAMILY TRUST - EXEMPT TRUST #2; CLO HOLDCO, LTD.; CHARITABLE DAF HOLDCO, LTD.; CHARITABLE DAF FUND, LP.; HIGHLAND DALLAS FOUNDATION; RAND PE FUND I, LP, SERIES 1; MASSAND CAPITAL, LLC; MASSAND CAPITAL, INC.; AND SAS ASSET RECOVERY, LTD.,

Defendants.

Chapter 11

Case No. 19-34054-sgj11

Adv. Pro. No. 21-03076-sgj  
STIPULATION

**STIPULATION TO EXTEND PLAINTIFF'S RESPONSE DATE AND DEFENDANT  
HIGHLAND CAPITAL MANAGEMENT FUND ADVISORS, L.P.'S REPLY DATE  
WITH RESPECT TO MOTION TO RECUSE**

This stipulation (the "Stipulation") is made and entered into, subject to Court approval, in the above-captioned adversary proceeding (the "Adversary Proceeding") by and among Marc S.

**STIPULATION TO EXTEND PLAINTIFF'S RESPONSE DATE AND DEFENDANT HIGHLAND CAPITAL  
MANAGEMENT FUND ADVISORS, L.P.'S REPLY DATE WITH RESPECT TO MOTION TO RECUSE**  
CORE/3522697.0002/180655507.2

Kirschner, as Litigation Trustee of the Litigation Sub-Trust (the "Litigation Trustee" or "Plaintiff"), and Defendant Highland Capital Management Fund Advisors, L.P. ("Defendant" and together with the Litigation Trustee, the "Parties"), by and through their respective undersigned counsel. In support of the Stipulation, the Parties respectfully state and stipulate as follows:

IT IS HEREBY JOINTLY STIPULATED AND AGREED as follows:

- (1) Plaintiff's deadline to respond to Highland Capital Management Fund Advisors, L.P.'s Motion to Recuse [Docket No. 309] (the "Motion") is extended from March 20, 2023 to April 3, 2023.
- (2) Defendant Highland Capital Management Fund Advisors, L.P.'s deadline to file a reply in further support of the Motion shall be April 17, 2023.
- (3) This Stipulation may be executed in counterparts. A facsimile, electronic, or photocopy of this Stipulation and the signatures hereto shall have the same effect and may be accepted with the same authority as if it were an original.

Dated: March 10, 2023  
Dallas, Texas

**SIDLEY AUSTIN LLP**

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-and-

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